

# **Is Age a Case for Electoral Quotas? A Benchmark for Affirmative Action in Politics**

**Aris Trantidis\***

## **Abstract**

Is age a suitable case for electoral quotas on the same grounds invoked for women in politics? If affirmative action should not be arbitrarily applied to a few social groups, we must specify the conditions that could serve as a benchmark which a group must pass in order to qualify for its application. Drawing from the literature on women in politics, this article sets up empirical indicators to examine the political under-representation of younger and older age groups: whether the age-related pattern of political under-representation is linked to stereotypes and bias that negatively affect its engagement in politics, and whether these age groups face special issues that give them a unique perspective, which only those who directly experience them can fully advocate in decision-making fora. Affirmative action raises questions about the boundaries of identity, the limits of politics as a vehicle for social change and the meaning of electoral choice.

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## **Introduction**

Long-standing patterns of exclusion affect several demographic groups such as women, ethnic minorities and migrant communities (Kymlicka 1993; Young, 1990; Bacchi, 2006; Tripp and Kang, 2008). To address group-level social and political exclusion, affirmative action has been seen as an effective way to bring down what is seen as a hidden yet entrenched barrier to participation in social and political life. In the sphere of political representation, electoral quotas have been introduced to reserve a certain number or percentage of positions, either in elected posts or in the composition of candidate lists, for members of the under-represented group.

Scant attention, however, has been paid to population groups that have not demonstrated activism for equal inclusion, and have not attracted a similar degree of scholarly attention. Among these groups stand the youngest and oldest age cohorts of citizens that are affected by a noticeable pattern of political under-representation. In the United Kingdom, for instance, members of the House of Commons in their 20s (18-29) and over the age of 70 constitute a small share of the total number of MPs, 2% and 4% respectively, markedly smaller than their share of the UK population (Lambrinakou 2015). Similar patterns are observed in advanced democracies such as France, Australia and New Zealand (where data on age-group composition are publicly available - for the average age of parliamentarians in several countries, see Stockemer and Sundström 2016) - whereas the US Congress

and the Italian Senate have constitutional bans on younger candidates. It is worth exploring the extent to which there are analogies to the arguments invoked in the case of women in politics. Although the young and old age groups lack a history of public advocacy similar to the ongoing campaign for the full political inclusion of women and ethnic minorities, it may be that their case has been absent from discussions exactly because of the stereotypical view that age-related under-representation is normal. Whether these two age groups qualify for electoral quotas must be decided on the basis of the same arguments invoked for other politically under-represented groups. In this direction, this article revisits the case for electoral quotas for women and draws from the literature a general benchmark that allows some reflection on whether age meets the same justification criteria as the case of women.

### **Affirmative action and equal treatment of similar cases**

The literature on women has generated a sophisticated defence of equal representation and electoral quotas as effective means to rectify the asymmetry in representation which is attributable to structural barriers to women's entry in politics. The foundation of this argument is the normative requirement that women and men should be granted equal status in politics as much as in any other area of human activity. In that view, women's equal representation should be self-evident as women account for over half the population of most societies and, if women do not enjoy their political rights in full, the society can barely be deemed democratic. (Inglehart et al, 2004). Moreover, low levels of women's participation and involvement are seen as a *prima facie* evidence of hidden barriers that stand in the way of women in politics (Phillips 1995, 32 and 53; Dahlerup, 2002, 3). Persevering patterns of commonly held views - seen as stereotypes and biases - as well as disproportionately limited resources have been said to prevent women from getting an equal standing in politics. Hence, to address these hidden barriers a shift is required from formal political equality to the concept of 'equality of result' that aims at the proportional participation of the disadvantaged groups (cf. Htun 2004; Meier 2000). This line of argument endorses a distinctive idea of fairness in political representation that takes into account the experience of exclusion and marginalisation, which both requires and justifies measures that depart from the principle of one vote for one citizen in order to compensate for the lack of substantive opportunities resulting from long-standing structural obstacles. Affirmative action is then regarded as the most effective way to achieve equality of result in elected offices, bypassing the hidden barriers at a pace that formal equality does not.

The case for affirmative action has to address a key challenge: the presence of overlapping identities makes it difficult to decide which demographic groups are entitled to affirmative action and which are not. The danger is that a selective and piecemeal application of affirmative action amounts to the arbitrary selection of some demographic groups and the exclusion of others, and will set apart and privilege one cultural, sexual or demographic identity, possibly reflecting power asymmetries in the advocacy of group-specific claims. Selective interventions are vulnerable to the criticism that they unwarrantedly institutionalize the preferential treatment of certain social categories at the expense of others. Given the reality of multiple experiences of marginalisation (Crenshaw, 1991), all under-represented

groups must be given equal consideration as to whether they qualify for affirmative action in accordance to the principle of equal treatment of similar cases. But, unless there are well defined conditions to govern the selection of cases, the *ad hoc applicability* of affirmative action will raise questions about discrimination, while every under-represented group could claim to be suitable for descriptive representation.

If affirmative action must not involve the arbitrary selection of a few social groups, we must specify the conditions that justify its application, and develop them into a general benchmark which each group must pass in order to qualify for it. In the case of women, a line of argument has sought to offer this additional specification and add strength to the justification of affirmative action in a way that demarcates this case from other demographic groups. The ‘politics of presence’ approach by Anne Phillips (1995) presents a vision of political participation that shifts away from the typical concept of representation of ideas, beliefs and preferences through party agendas and policies and emphasises the need to secure the actual ‘presence’ of the marginalised and oppressed social groups in decision-making. It contends that women and men have distinct perspectives on issues of public policy that cannot be properly articulated through a typical principal-agent relation but they should be aired and expressed in elected posts by members of the group that experience them (Phillips 1995, 68 and 84; Cf. Kymlicka 1995; Tremblay 1998, Carroll 2001, Swers 2001; Campbell, 2005; Campbell, Childs and Lovenduski, 2010). While representatives represent their constituents on the issues that have been debated in the course of the electoral campaign, the significant under-representation of women means that, when new problems and issues emerge, who the representative is matters immensely if ‘on everything else, the representatives have to fall back on their own judgment or their own prejudice’ (Phillips, 1995, 43-44). This supports the argument that women’s issues can be better addressed by women themselves having a direct presence in all stages of decision-making, which elicits the application of gender quotas (Phillips 1995; Burnheim 1985).

Phillips draws on arguments for the ‘substantive representation’ of women that advocate the idea that women’s presence in politics matters because they bring to the public sphere their unique perspective, life experience and values (Diamond 1977). Discussions over policy-making should engage participants from across the societal divides to make sure that all needs and preoccupations are properly articulated and heard (Phillips 1995, 53). The idea is that women will not simply stand as women but will stand for women (Lovenduski and Norris 2003). This alternative view to political representation holds that democracy should recognise and represent the distinct voices and perspectives of all its constituent groups, including those of the oppressed and the disadvantaged who have a special ‘point of view’ (Young, 1990, 184-185; 2002, 122). With this line of argument, the politics of presence delineates a narrower scope for its applicability (Phillips 1995, 47-56).

### **An empirical test for examining age under-representation**

The line of arguments presented above contributes to the development of a benchmark which a politically under-represented group has to pass in order to elicit

affirmative action on similar grounds. This benchmark can be formulated as follows:

Affirmative action to increase the political presence of a population group that is systematically under-represented in elected offices is justified if it is found a) that its members have a low degree of participation in formal political positions, which is associated with hidden barriers stemming from widespread stereotypes and biases and b) that the group faces group-specific issues and will bring a unique perspective on how to tackle these issues, which will be distinct from other groups, suggesting that these special issues can only be fully understood and advocated in politics by representatives from that group.

This two-fold benchmark is built upon the premise that politically underrepresented groups should qualify for affirmative action insofar as their circumstances meet the same arguments invoked in the more conspicuous case of women in politics. That said, however, there is great difficulty in tracing each of these circumstances empirically. Barriers to entry are hidden and involve long-standing yet often unspoken social biases that may go as far as to affect the group's self-perception of political capacity and, depending on the specific configuration of prevalent norms and attitudes, may create an environment of political disengagement that appears, on the surface, voluntary. This suggests that empirical research must link any observations of low participation in politics with the detection of informal and hidden barriers. It is plausible to suspect that hidden barriers to entry play a role in the fact that the electoral process consistently fails to generate a distribution of elected offices more or less symmetrical to the share of age groups in the population. Under-representation in formal politics could be partly ascribed to patterns of stereotypes and biases which, though hidden and often unspoken, deprive members of the group of real opportunities to take formal part in political life.

The second component of the empirical test requires the demonstration of a unique perspective on public issues derived from the shared experiences, circumstances and problems of the under-represented group. The caveat here is that the experiences related to group membership must not necessarily generate a uniform set of preferences but they must generate a unique perspective which, if present in the decision-making process, can alter issue priorities and agenda setting (c.f. Thomas and Welch 1991; Swers 1998).

### **Disengagement from politics in view of stereotypes and hidden barriers to entry**

The political participation of younger citizens has been a contested issue: whether the young are less interested in politics compared to their elders, whether they are sceptical towards formal politics and whether they opt for informal political activism. Studies have observed that young citizens tend to have a low interest and engagement in politics (Kimberlee 2002; Wattenberg 2002; O'Toole et al 2003; Brooks and Hodkinson 2008; Henn and Foard 2012; Whiteley 2012: 46). This has been seen as a life cycle effect (Denver 2003; Van der Eijk and Franklin 2009; Phelps 2012). Political disengagement has also been explained with reference to

scepticism towards the political system, politicians and parties (White et al. 2000; Henn, Weinsten and Forrest 2005). In the United States and the United Kingdom, it was found that alienation rather than apathy seemed to describe the young people's attitude to mainstream politics (Dalton 2007; Marsh, O'Toole and Jones 2007). In the United Kingdom, low levels of electoral registration and voting were primarily attributed to a combination of personal issues, knowledge problems, apathy and alienation from politics (Russell et. al. 2001). Other British surveys found that the young were committed to the democratic process but had a higher degree of political disaffection towards the political system and the established parties (Henn, Weinsten and Forrest 2005). Despite a continuing interest in politics, they were sceptical and lacked confidence and knowledge about politics, and felt they could not influence the decision-making process (Henn and Foard 2012). Young people held the view that the political system and the established parties and politicians failed to provide the stimuli necessary to encourage them to engage with formal politics (Henn and Foard: 2014). In Australia, research indicated that young people were disenchanted with political structures that were unresponsive to their needs and interests (Harris, Wyn and Younes 2010).

There is also some indication that political engagement varies across time and space (Fieldhouse, Tranmen and Russel 2007). For instance, the young voters' turnout in the UK elections had an upward trend in the line of elections in 2005, 2010 and 2015.<sup>1</sup> In the US, young voters had a higher turnout in the 2008 presidential election (Lopez and Taylor 2009). Political engagement may exhibit particular peaks either geographically (e.g. with the Arab Spring) or chronologically (e.g. May 1968, the Occupy movement post-2008) depending on specific political developments, which may create a path-dependent pattern of political engagement for each generation (Grasso 2014). There is also a vivid debate whether the young actively opt for informal forms of political participation and activism or not (Inglehart 1990; Edwards et al. 2001; Kimberlee 2002; O'Toole, Lister, Marsh, Jones and McDonagh 2003; Forbrih 2005; Dalton 2007; Marsh, O'Toole and Jones 2007; Quintelier 2007; Gaiser and Rijke 2008). Notwithstanding the methodological problems of measuring 'interest in politics' (O' Tool et al. 2003), the diverse explanations for varied observations (Kimberlee; 2002) and the occasional variation across time and space, we must assess whether low representation in elected posts – the specific problem of interest here – is also affected by barriers that the external environment places on young people.

For senior citizens, an interesting finding is that with the exception of voting, all forms of political participation decline with age (Jennings and Markus 1988), and that senior people (60+) are found to be more active with party membership and more involved in voting in parliamentary elections but less participating in all other political activities (Goerres 2009, 10). Other empirical findings, however, have shown that older people want to be politically active and engaged, and have an 'inner age' younger than physical age (Iversen, Larsen and Solem 2009; Principi 2012). It was found that in 2005, 82% of voters aged 66 plus voted (Whitely 2012, 41). While it is plausible to suggest that some members of that group may voluntarily choose to retire from active political engagement, the argument that a general pattern of voluntary retirement is the only valid explanation contradicts the historical trend of *gerontocracy* that dominated most political settings in the past (Bytheway 1995, 45). It is important to ascertain the extent to which the political

under-representation of older citizens is partly a reflection of hidden barriers to entry and the ensuing sense of alienation and marginalisation, and not exclusively a choice of retirement.

One can argue that if an age group is disengaged from politics, this is the result of the voluntary decisions of most of its members to be so, which reflect sociological factors, a distinct attitude to formal politics, a life cycle, or simply a desire to retire and be apathetic. Inter-generational differences in political participation may mirror different valuations across generations regarding the worth of formal structures of participation (Inglehart 1990) or distinct experiences of political socialization as a generation coming of age (Phelps 2012; Grasso 2014). Nonetheless, unravelling the input of the external environment is equally important. The political and social environment does not just shape perceptions and attitudes to formal politics but it also imposes *external constraints*. We can ask: are there any properties present in this environment that make political choices not simply *contemplative* of the environment but actually *bounded* by it?

Stereotypes and the ensuing bias regarding the political capacity of these groups can be seen as properties of the external environment that act as ‘parametric’ factors. They are parametric in the sense that their origin is external to one’s personal circumstances. They can be exogenous to one’s thought process, in the sense that bias affects the attitude of others towards the group. They can also influence self-perceptions regarding capacity and opportunity through socialization and can fuel a sense of political alienation or powerlessness. In both ways, stereotypes and bias act as an external barrier, albeit ‘hidden, causing variation in the forms or the degree of political participation from a group in conjunction with other factors. In the case of age and political participation, political attitude should not be merely explained with reference to the effects of life-cycle, period and generation, without consideration of a ‘fourth’ factor: bias as an external constraint on choice that operates in an intricate relationship with other sociological factors. If democratic reform typically aims to lift formal restrictions to political expression, it must equally address the problem of bias as a parametric property of the external environment.

In the case of the two age groups, barriers to political participation and electability can be associated with age-related discrimination and systematic prejudice. There may be views of ‘political maturity’ and ‘political capability’ which can be epitomised in the phrases ‘their turn in politics has yet to come’ for younger candidates and ‘their time in politics has passed’ for older candidates, with a subsequent impact on political choices. The pattern of political under-representation can be seen as a manifestation of ageism in the field of politics, defined as ‘a process of systematic stereotyping and discrimination against people because they are old, just as racism and sexism accomplish this for color and gender’ (Butler 1969, 1975; 1995, 35). Ageism involves prejudice, discrimination, and stereotyping (Cuddy and Fiske 2002) and can become manifested in discrimination affecting older and younger individuals alike (Fisher, 1992; Gatz and Pearson 1988; Harris 1990; Vasil and Wass, 1993). The same set of biases may be reproduced at the level of government and political representation (Edwards 2007) and could unduly disadvantage the articulation of the experiences and concerns of the young and the elderly. It is possible that prevailing ageist

perceptions feed back in the way age-related issues are tackled by middle-aged politicians who currently dominate elected posts, and this likelihood strengthens the argument that age-related issues can only be adequately expressed in politics by members of the same age group. Biased perceptions and stereotypes can affect both self-perception inside these groups and the perception of these group by others. The absence of a debate about their presence in politics may also be a reflection of age-related bias.

This can be associated, for instance, with generalisations in the popular press about the ‘problem of the youth’ followed with pictures of radicalism, crime and alienation (Grattan 2009). The youngest voters confront popular images of the youth as politically immature and rebellious and face the prevalent idea that they are not yet ‘ready’ for entry to fully-fledged political life (Shaw and McCulloch 2009). The media frequently ‘remind’ the young that they ‘don’t care’ about politics in a way that could widen the gap of disengagement: ‘election and politics are not for them’, (Russell 2004). Disengagement is portrayed as normal; political participation is odd. A study by Ellis (2004) shows that the sense of responsibility for the rights of others among young people was contingent on identification with those other groups, and that government in particular was generally viewed by them as ‘somebody else’s responsibility’.

A similar pattern is observed for the elderly who confront generalizations about physical and mental ability and expectations of retirement from active life (Cf. Wilkinson and Ferraro 2002; Perry and Parlamis 2006). For senior citizens, this may involve the portrayal of the old as a vulnerable group that represents a ‘particular problem’ (Herring 2009, 17, and Ward et al. 2008) and that of the older people lacking up-to-date information and skills (Atchley 1997). It is thus plausible to suggest that age-related barriers rather than physical weakness preclude their entry into the political arena (c.f. O’Toole et al. 2003, 53) given that it is only during the last few decades when top positions of political power became increasingly occupied by ‘younger’ politicians in their 40s and 50s.

Generally speaking, decisions to participate in politics are affected by an intricate interplay between personal and sociological circumstances, which includes the presence of bias against a group in the social environment. Bias parametrically constrains choice in two ways – exogenously through the perceptions of others and endogenously through an impact on self-perception. Bias also feeds back into the way the group’s issues are addressed, as the next section demonstrates.

### **Special issues and a group-specific perspective**

According to the empirical benchmark, the second requirement which a population group must meet in order to qualify for electoral quotas is that the group faces group-specific issues and has a unique group-specific perspective on these issues which can only be fully represented in formal political processes by a proportional member of representatives who belong to these groups. In the case of the two under-represented age groups, ageist perceptions may feed back into the way age-related issues are addressed by middle-aged politicians who dominate central politics. A proportional political representation of the younger and oldest age groups will bring this unique experience and perspective in politics and can help tackle these issues.

Younger people face problems with education and training, youth poverty (Green and Curran 2008), employment (Bradley and Devadeson 2008; Scarpetta et al. 2010), the shifting boundaries of adulthood (Bynner 2005), social exclusion, negative media coverage and popular perceptions of young people (Burke 2008; Grattan 2009), youth crime, justice and social stigma (Hough and Roberts 2003). Older people face higher levels of poverty, winter deaths, accidents, malnourishment, social exclusion, neglect, isolation and loneliness, problems with mobility and access to public facilities (Herring 2009, 15-17), and employment discrimination (Taylor and Walke 1994; Bendick, Brown and Wall 1999; Wilkinson and Ferraro 2002; Perry and Parlamis 2006; Albert, Escot, and Fernández-Cornejo 2011).

It is important to ascertain whether the proportional presence of the two age-groups in elected posts would change the order of priority of the issues on the political agenda. The way to identify a unique group-specific perspective does not require the demonstration of ideological difference across groups. It refers to the experience of salient group-specific issues that is inextricably linked to membership in that demographic group, and suggests that representatives from these groups will make a difference in the way these issues are put forward in decision-making and in the ideas and approaches that will be discussed in order to tackle them: these groups face special issues as part of their position in the life cycle (Cf. Wattenberg. 2012: 142-143), for instance, how the young approach educational issues *while in education*, or how pensioners think about *their* pensions. Both groups are vulnerable to age discrimination in all aspects of social life (Bendick et al. 1996 and 1999, in the United States; Albert et al. 2011 in Spain) and this can feed back to decision-making. Age discrimination was also reported in socio-judicial narratives in real life inflated with personal bias and prejudices regarding old age (Doron 2012). The political presence of members of the disadvantaged age groups in decision-making arenas would allow them to make a direct case for the special issues they face. This point can be related to the idea that the political class privileges the most electorally significant group, namely the middle-aged and the middle-class groups, at the expense of young people who feel ‘cut off’ from political attention (Little 2010, p. 8). More importantly, inter-generational externalities are understood to nourish a clash of generations (Howker and Malik 2004; Beckett 2010; Willetts 2010) in which the two age groups are institutionally disadvantaged.

Evidence on ageism as bias strengthens the argument that perspective matters and indicates why age-related issues could be better expressed in politics by members of the same age group, and why the proportional presence of the two age-groups in elected posts will change the allocation of priority issues on the political agenda.

### **Age and the case for electoral quotas: discussion and critique of the framework**

This article has built a benchmark to ascertain whether affirmative action is justified for a social group with two empirical indicators: (a) stereotypes creating bias and negatively affecting political choice and (b) the presence of special group-related issues which shapes a group-specific unique perspective. On that basis, the paper concludes that age merits equal consideration. Long-standing biases create negative



popular perceptions of these groups and stand in their way to advocate and address their special issues in politics. Further research is needed to illustrate this claim across several political settings. Given the diversity of social identities and political perceptions, there are still questions about identity boundaries, politics seen as a vehicle for social change and the meaning of free choice.

The paper seeks to address the objection that affirmative action, by setting apart one social group for special treatment, privileges a particular selection of identity against a more complex totality of interconnected and overlapping identities. The benchmark it puts forward focuses on *bias* and *unique perspective*, and must be distinguished from opinions that simply observe a link between *identity and under-representation* and use it as the justification basis for affirmative action. However, selecting cases for affirmative action on the basis of group-specific bias and unique perspective raises questions in view of the fact that individuals have multiple memberships in numerous social categories and their own personal experiences. A group-based theory of representation will not be able to fully capture individual circumstances that may differ substantially from the ‘average’ of the demographic or social groups in which they have been classified. Moreover, the extension of affirmative action and electoral quotas to other population groups may lead to further fragmentation of the electorate in the presence of diverse demographical, economic, cultural groups and ethnic groups (c.f. Catt and Murphy 2002). If the electorate is constructed into several demographical, economic, cultural and ethnic groups, this can dilute the notion of equal citizenship, which is linked to the fact that each individual citizen differs in terms of both enabling and disabling circumstances.

The paper suggests that there is a flaw in representation when a unique group-specific perspective in politics will be missed due to bias acting as a hidden barrier to its presence in politics. It is problematic to ascertain in a rather dichotomous way whether bias must be seen as an external constraint or an element of free choice. Bias is endogenous to the electoral process (the outcome of choices by the general electorate) and may also be partly an endogenised factor for at least some members of the affected group, through socialization in that environment - that's why some would claim that women or young people are simply ‘less interested’ in politics. While some will regard bias and stereotypes as unacceptable barriers to participation, for others, politics is about freely determining the outcome of representation without prior interventions that pre-direct this selection. Free choice in politics means that representation should reflect society ‘as it is’ with its views, imbalances and asymmetries; bias is a politically contested issue; representation is the aggregation of the will of citizens, even if this includes views which others see as unacceptable stereotypes and biases.’

‘The counter-argument why bias must be tackled by democratic reform will posit that bias is primarily an element of the external environment and, as such, comes closer to acting as a barrier to participation: it stems from views that unduly stereotype groups such as women, the old, the young etc; the source of these views is largely exogenous to the decisions of their members; these views shape attitudes towards the affected groups and, quite importantly, skew the way their problems are addressed in politics. The consequences are not just negative but self-reinforcing: while politics is all about airing and tackling negative views, here, a

specific group is affected by views that simultaneously undermine its chances for equal standing in politics in order to address them. The case for electoral quotas is therefore a case of democratic reform against this 'bias trap': just as formal restrictions to political participation have been lifted in the past, likewise we must now address bias and stereotypes because they are another instance of external constraints.

There is a tension between a vision of 'fair representation' and a definition of 'free electoral choice'. In this regard, the paper's benchmark can be seen as the extension and refinement of an approach to democratic reform that has its friends and foes. A preference for politics to serve as the main vehicle for social transformation has an inevitable cost. The political sphere establishes a selection process in which one view *eliminates* other normative views, at least temporarily. Likewise, democratic reform cannot accommodate all competing views, including distinct approaches of what fair representation is.

Finally, we must not neglect processes of social change that occur parallel to politics, even if they are not independent from political interventions. Repeated exchange among people with overlapping identities in social and economic activities has led to gradual yet significant change in social perceptions and public attitudes over the course of time, often despite embedded political and institutional biases. Technological breakthrough and contractual transactions have allowed hitherto marginalized groups to improve their circumstances and, ultimately, obtain resources that have enabled them to push for political and institutional change. Advances in technology, for instance, allow younger people to gain access to, and increase their impact on political and social activities, mostly via new social media. The same technology can also facilitate the elderly to remain active in social and political life. Broadly speaking, social transformation outside politics takes place through the organic development of values, norms and capabilities in the context of interactions, competition, transactions and the exchange of ideas. As these non-authoritative processes of social change unfold, new set of values may emerge which feed back into the political status quo. A dynamic view of social change offers some reassurance that the political process cannot inescapably entrench discrimination, even in political environments that tend to reproduce biases and are even designed to block developments that political elites see as threatening.

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